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GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau
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TA-03



RON CURRY
SECRETARY

DERRITH WATCHMAN-MOORE
DEPUTY SECRETARY

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

November 1, 2004

David Gregory, Federal Project Director
Los Alamos Site Operations
Department of Energy
528 35th Street, Mail Stop A316
Los Alamos, NM 87544

G. Pete Nanos, Director
Los Alamos National Laboratory
P.O. Box 1663, Mail Stop A100
Los Alamos, NM 87545

RE: NOTICE OF APPROVAL AS MODIFIED
SOLID WASTE MANAGEMENT UNIT (SWMU) ASSESSMENT PLAN FOR
SWMU 03-013(I)
LOS ALAMOS NATIONAL LABORATORY EPA ID No: NM0890010515
HWB-LANL-04-012

Dear Messrs. Gregory and Nanos:

The New Mexico Environment Department (NMED) has received and reviewed the United States Department of Energy and Regents of the University of California (collectively, the Permittees) report entitled *Solid Waste Management Unit (SWMU) Assessment Plan for SWMU 03-013(i)* dated September 2004 and referenced by LA-UR-04-6783 and ER2004-0549. NMED hereby approves the aforementioned document with the modifications described in the following paragraph. If the Permittees fail to implement modifications the approval for this document will automatically be rescinded.

The Permittees are proposing to use NMED industrial soil screening levels (SSLs) to assess the nature and extent of contamination. Confirmatory sample results may indicate that the acceptable risk is above NMED residential SSLs. However, in this case, NMED will add SWMU 03-013(i) to the RCRA permit precluding the release of this site for unrestricted land use.



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Messrs. Gregory and Nance

November 1, 2004

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Additionally, the waste generated as a result of demolition and removal activities must be characterized (40 CFR §262.11) to determine if it is hazardous prior to disposal. Characterization of the waste cannot be based on the results of the two preliminary samples. NMED does not consider these to be representative of all the contamination that may be found at this site.

The Permittees must submit a 20-day sampling notification to NMED prior to initiating the work. If you have any questions, please contact Laurie Trevizo at (505) 428-2539.

Sincerely,



John Young
Hazardous Waste Bureau

JY:lt

cc: L. Trevizo, NMED HWB
M. Leavitt, NMED SWQB
C. Voorhees, NMED DOE OB
S. Yanicak, NMED DOE OB, MS J993
L. King, EPA 6PD-N
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